

Message Text

CONFIDENTIAL

PAGE 01 BRASIL 03503 261254Z

53

ACTION OES-06

INFO OCT-01 ARA-06 ISO-00 SS-15 SSO-00 NSCE-00 INRE-00

ACDA-07 CIAE-00 INR-07 IO-13 L-03 NSAE-00 NSC-05

EB-07 NRC-05 FEAE-00 DODE-00 ERDA-05 ERDE-00 PA-01

PRS-01 USIE-00 SP-02 /084 W

----- 118474

O R 261205Z APR 76

FM AMEMBASSY BRASILIA

TO SECSTATE WASHDC IMMEDIATE 5205

INFO AMCONSUL RIO DE JANEIRO

AMCONSUL SAO PAULO

C O N F I D E N T I A L BRASILIA 3503

DEPARTMENT PASS NASA

E.O. 11652: GDS

TAGS: TSPA, BR

SUBJECT: REMOTE SENSING AGREEMENT

1. SUMMARY: NEGOTIATIONS ON REMOTE SENSING, APRIL 22-23, FAILED TO PRODUCE NEW AGREEMENT. GOB CONCERN ALLEGEDLY CENTERS ON OBLIGATION TO DISSEMINATE DATA ABOUT OTHER COUNTRIES IN REGION TO THIRD PARTIES. GOB DEL UNABLE TO ACCEPT US TEXT DESPITE US OFFER TO INSERT LANGUAGE THAT OBLIGATION TO DISSEMINATE DATA NOT INTENDED TO PREJUDICE PARTIES' RIGHTS AND OBLIGATIONS UNDER POSSIBLE FUTURE LEGAL INTERNATIONAL REGIME. US REP STATED THAT CONTINUATION OF SATELLITE OPERATION BEYOND APRIL 30 WITHOUT AGREEMENT WOULD BE EXTREMELY DIFFICULT. EMBASSY MEETING WITH FOREIGN MINISTRY APRIL 26 TO REVIEW STATUS OF NEGOTIATION.

END SUMMARY

2. NEGOTIATIONS OF APRIL 22-23 FAILED TO PRODUCE TEXT OF NEW AGREEMENT. STICKING POINT WAS US INSISTENCE ON OPERATION OF
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BRASIL 03503 261254Z

CUIABA GROUND STATION AS TRUE REGIONAL FACILITY WITH OPEN

ACCESS BY ANY PARTY TO ALL DATA COLLECTED IN REGION COVERED BY STATION. GOB HAD BEEN THINKING OF STATION AS PRIMARILY NATIONAL FACILITY COVERING MAINLY BRAZIL, WITH OBLIGATIONS TO SOME OUTSIDE PARTIES (EG, PRINCIPAL INVESTIGATOR) IMPOSED BY NASA AND WITH SOME RESPONSIBILITY FOR FURNISHING DATA ON AREAS OF OTHER COUNTRIES COVERED TO THAT COUNTRY ONLY OR TO NASA ON REQUEST. GOB FEELS ANY OTHER OBLIGATION UNDER AGREEMENT WOULD REQUIRE FURTHER STUDY IN ORDER NOT TO CONTRADICT THEIR POSITION AS EXPRESSED IN UN. THIRD PARTY REQUESTS FOR GOB DATA ARE THEIR REAL PROBLEM. ONE WAY SUGGESTED BY GOB DEL TO HANDLE THIS WOULD BE TO ROUTE ALL SUCH REQUESTS VIA NASA, TO WHICH GOB APPEARS WILLING TO SUPPLY ANY DATA REQUESTED WITHOUT APPARENT VIOLATION OF GOB PRINCIPLES.

3. GOB ALLEGED WILLING TO FOLLOW QUOTE OPEN DATA POLICY UNQUOTE ALTHOUGH EMBASSY DOES NOT HAVE COPY OF GOB FORMULATION OF THIS CONCEPT. THIS APPARENTLY MEANS GOB WILLING TO SUPPLY DATA ON BRAZIL TO BRAZILIAN PUBLIC AND ON NEIGHBORING COUNTRIES TO CITIZENS OF THOSE COUNTRIES BUT POSSIBLY ONLY THROUGH GOVERNMENTS OF THOSE COUNTRIES. WE ALSO UNDERSTAND THAT GOB IS PREPARED TO MAKE DATA ON ITS OWN TERRITORY FREELY AVAILABLE TO US NATIONALS AND ENTITIES AND TO THIRD PARTIES BUT WISH TO CONFIRM THIS FURTHER IN FOLLOW-UP DISCUSSIONS WITH GOB. GOB DEL ALLEGED THAT THEIR ONLY CONCERN IS WITH THE DISSEMINATION OF DATA ABOUT OTHER COUNTRIES WITHOUT KNOWLEDGE AND CONSENT OF THEIR GOVERNMENT ALTHOUGH, ONCE NASA PERMITS FEES, THEY APPARENTLY ENVISAGE COLLECTION AND DISSEMINATION OF SUCH REGIONAL DATA ON APPROPRIATE TERMS.

4. NASA REP OFFERED LANGUAGE THAT OBLIGATIONS OF DISSEMINATION ASSUMED WITHOUT PREJUDICE TO FUTURE LEGAL INTERNATIONAL REGIME BUT THIS FORMULATION FAILED TO RESOLVE IMPASSE. NASA REP STATED THAT US WOULD FIND IT EXTREMELY DIFFICULT TO CONTINUE SATELLITE OPERATION FOR BRAZIL AFTER APRIL 30 WITHOUT NEW AGREEMENT AND EXTENSION OF PRESENT AGREEMENT NOT SATISFACTORY SOLUTION SINCE GOB INTERPRETATION (IN THEORY AND PRACTICE) OF IT NOT CONSISTENT WITH US AIMS.

5. GOB, LED BY FORMIN REP BAENA SOARES, PROMISED FURTHER CONSIDERATION AND PROMPT COUNTER PROPOSAL AND WILL MEET MONDAY
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 BRASIL 03503 261254Z

WITH COUNSELOR ECON/COMMERCIAL AND SCICOUN.
JOHNSON

CONFIDENTIAL

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: REMOTE SENSING, NEGOTIATIONS, SPACECRAFT TRACKING
Control Number: n/a
Copy: SINGLE
Draft Date: 26 APR 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: buchant0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976BRASIL03503
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D760157-0924
From: BRASILIA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760423/aaaaatlf.tel
Line Count: 109
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION OES
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: buchant0
Review Comment: n/a
Review Content Flags:
Review Date: 14 JUL 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <14 JUL 2004 by CunninFX>; APPROVED <27 OCT 2004 by buchant0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: REMOTE SENSING AGREEMENT
TAGS: TSPA, BR, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006